

# Exhibit 8

# **MDL EXHIBIT 3**



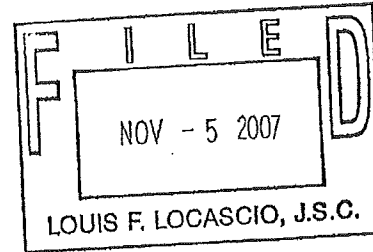
Nov 9 2007  
2:29PM

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COUNSEL FOR PLAINTIFF INTERNATIONAL UNION OF OPERATING ENGINEERS,  
LOCAL 68, WELFARE FUND AND THE CLASS



International Union of Operating Engineers,  
Local No. 68 Welfare Fund,  
(an unincorporated trust)

Plaintiff,

v.

AstraZeneca PLC, et al.,

Defendants.

Superior Court of New Jersey  
Law Division: Monmouth County

Civil Action Docket No. MON-L-3136-06

**ORDER DISMISSING WITHOUT  
PREJUDICE DEFENDANTS  
OVERLAPPING MDL 1456**

**THIS MATTER** having been opened to the court by The Haviland Law Firm and Keefe Bartels, Counsel for Plaintiff and the Class, on Plaintiff's Motion to Dismiss Without Prejudice Conflicting Class Claims as to Defendants Overlapping MDL 1456, and the parties having amicably resolved their differences and consenting to the entering of this form of Order;

On this 5 <sup>Nov</sup> day of October 2007

**ORDERED** that plaintiff's claims against the following defendants are dismissed without prejudice:

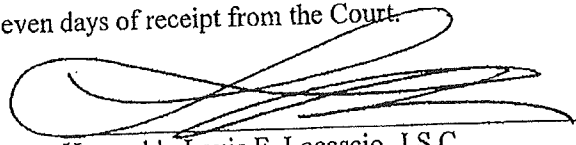
Abbott Laboratories, Amgen Inc., Zeneca, Inc., Astra Zeneca  
Pharmaceuticals L.P., Aventis Pharmaceuticals, Inc., Hoechst Marion  
Roussel, Inc., ZLB Behring, L.L.C. (f/k/a Aventis Behring L.L.C.),

Centeon, L.L.C., Armour Pharmaceuticals, Baxter International Inc., Baxter Healthcare Corporation, Immuno-U.S., Inc., Bayer Corporation, Bayer AG, Miles Laboratories, Inc, Cutter Laboratories, Inc., Bristol-Myers Squibb Co., Oncology Therapeutics Network Corp., Apothecon, Inc., Dey, Inc., Fujisawa Healthcare, Inc., Fujisawa USA, Inc., Immunex Corporation, Johnson & Johnson, Centocor, Inc., Ortho Biotech, Pharmacia Corporation, Pharmacia & Upjohn LLC, f/k/a Pharmacia & Upjohn, Inc., Monsanto Company, Schering-Plough Corporation, Warrick Pharmaceuticals Corporation, Sicom, Inc., Gensia Sicom Pharmaceuticals, Inc., and Watson Pharmaceuticals, Inc.;

**IT IS FURTHER ORDERED** that subject to and specifically reserving all defenses, the parties agree that (1) none of the Defendants waives or releases any defenses or arguments, including but not limited to, any statute of limitations and/or repose defenses, which could have been asserted prior to the effective date of this Order and (2) any and all applicable statutes of limitations and/or repose are, from the effective date of this Order and for the pendency of MDL 1456, tolled and the reinstatement of any Defendant to this action will not, as a result of this Order, trigger a right of removal to federal court;

**IT IS FURTHER ORDERED** that plaintiff's Motion to Dismiss Without Prejudice Conflicting Class Claims as to Defendants Overlapping MDL 1456 is withdrawn;

**IT IS FURTHER ORDERED** that a copy of this Order shall be served upon all counsel and the Special Master within seven days of receipt from the Court.



Honorable Louis F. Locascio, J.S.C.